

## **RESPONDENTS' EXHIBITS**

# **EXHIBIT 1**

## Procedures For Filing Documents

### Unclassified Filings By Petitioner

1. Until further order of this court, any pleading or other document filed by petitioner that petitioner's counsel does not believe contains classified information and has no reason to believe contains classified information is authorized for direct filing in the CM/ECF system consistent with the regular electronic filing practices of this Court. *See* Local Civil Rule 5.4. Presumptively classified information that petitioner's counsel has learned from petitioner, *see* Revised Procedures For Counsel Access To Detainees At The U.S. Naval Base In Guantanamo Bay, Cuba §§ IV.A.6, IX.B, but has not been determined to be unclassified, shall not be filed in the CM/ECF system. Presumptively classified information shall be filed pursuant to the procedures specified in paragraph 2 below.

### Classified Filings By Petitioner

2. Any pleading or other document filed by petitioner that petitioner's counsel knows or has reason to believe contains classified information, or is uncertain whether the document contains classified information, shall be filed under seal with the Court Security Officers ("CSO"). The document must be marked with the appropriate classification marking (*e.g.*, "SECRET"). The time of physical submission to the Court Security Officers shall be considered the date and time of filing. At the time of making a submission to the Court Security Officer, petitioner's counsel shall file on the public record in the CM/ECF system a "Notice of Filing" notifying the Court that a submission has been made to the CSO and specifying in general terms the nature of the filing without disclosing any potentially classified information.

A. Upon receipt, the CSO will then deliver to the Court and counsel for respondents any pleading or other document filed by petitioner that may contain classified information. The CSO will forward the document to the appropriate government agencies and departments for their determination as to whether the pleading or other document contains classified information. To facilitate this review, petitioner's counsel shall identify each paragraph of the document that counsel believes may contain classified information by marking each paragraph with an appropriate classification marking or otherwise specifically identifying such paragraphs. If, following review by the appropriate government agencies and departments, it is determined that the pleading or other document contains classified, the CSO must ensure that the document is marked with the appropriate classification marking and that the document remains under seal. The CSO will work with the appropriate government agencies or departments to prepare a redacted version of the pleading or other document appropriate for filing on the public record. Counsel shall then file the redacted version of the document in the CM/ECF system with a notation in the upper right hand corner of the first page stating "REDACTED VERSION FOR PUBLIC FILING CLEARED BY CSO." The docket entry description in the CM/ECF system for the document suitable for public viewing shall make specific reference to the earlier docket entry notifying the Court that the document had been submitted to the CSO for review.

B. In the event an entire document is deemed classified, petitioner's counsel

shall file a notice in the CM/ECF system listing the caption of the case, a version of the title of the document that does not disclose classified or protected information, and a brief statement that the CSO has informed counsel that the entire document is classified. The docket entry description in the CM/ECF system for the document suitable for public viewing shall make specific reference to the earlier docket entry notifying the Court that the document had been submitted to the CSO for review.

C. If it is determined that the pleading or other document does not contain classified, counsel shall then file the full submission in the CM/ECF system and counsel shall make specific reference to the earlier docket entry notifying the Court that the document had been submitted to the CSO for review. The docket entry description shall also state that the CSO has approved of the public filing of the document. The underlying document filed in the CM/ECF system shall contain a notation in the upper right hand corner of the first page stating "PREVIOUSLY FILED WITH CSO AND CLEARED FOR PUBLIC FILING."

#### Classified Filings By Respondents

3. Any pleading or other document filed by counsel for the respondents containing classified shall be filed under seal with the Court through the CSO. The time of physical submission to the Court Security Officers shall be considered the date and time of filing. The Court Security Officer shall serve a copy of any classified pleading or document upon petitioner's counsel at the secure facility. At the time of making a submission to the Court Security Officer, respondents shall file on the public record in the CM/ECF system a "Notice of Filing" notifying the Court that a submission has been made to the CSO and specifying in general terms the nature of the filing without disclosing any potentially classified information. Counsel for respondents shall file in the CM/ECF system a version of the pleading or document appropriate for filing on the public record, consistent with the procedures outlined in paragraphs 2.A-C.

#### Protected Information Filings By Petitioner And Respondents

4.A. The presence, or potential presence, of protected information in any pleading or document that is governed by paragraph 2 or paragraph 3, above, shall not affect the method of filing such a pleading or document; it shall be governed by paragraph 2 or 3, as applicable. Any pleading or other document that contains, or petitioner's counsel or respondents have a reason to believe contains, or petitioner's counsel is uncertain as to whether it contains, protected information, but does not contain classified information, shall be filed under seal pursuant to Local Civil Rule 5.1(j). At the time of the submission of a filing containing protected but not classified information, the party shall file on the public record in the CM/ECF system a "Notice of Filing" notifying the Court that a protected information submission has been made and specifying in general terms the nature of the filing without disclosing any potentially protected information. Counsel for the party submitting the protected information shall file in the CM/ECF system a version of the pleading or document appropriate for filing on the public record, consistent with the procedures outlined in paragraphs 2.A-C.

4.B. This order shall constitute authorization for petitioner and respondents to file protected information under seal. No motion to seal is required at the time of submission of the pleading or document to the Clerk's Office. Procedures for designation of protected information shall be governed by the Court's November 11, 2004 Order ("Order Addressing Designation Procedures For 'Protected Information'").

Disclosure of Protected Or Classified Information On The Public Record

5. In the event respondents believe that a party has disclosed classified or protected information on the public docket, respondents shall notify the Court Security Officer, who shall work with the Clerk's Office to remove the filing from the public docket. A copy of the filing shall then be lodged with the Court Security Officer and treated according to section 2.B or 2.C of this order. Nothing herein shall limit respondents authority to take necessary remedial action to ensure the protection of the classified or protected information.

## **EXHIBIT 2**

**Exhibit to Part B of Joint Status Report Dated July 21, 2008**

**Petitioners in *Mohammon v. Bush*, No. 05-CV-2386 (RBW), Who Are Identified as Detainees at Guantánamo Bay;  
Who Do Not Have Duplicate Petitions for Writs of Habeas Corpus Pending Before the District Court;  
and Who Have Not Been Released or Transferred; or Petitioners About Whom These Issues Are Disputed**

	<b>Petitioner</b>	<b>Petitioner's Internment Serial Number (ISN)</b>	<b>Citation to Petition</b>	<b>Petitioner's Citizenship</b>	<b>Amended (Habeas) Protective Order Entered?</b>	<b>Petitioner's Status</b>
1.	Abd Al Zaher	89	¶ 25	Azerbaijan	Yes	
2.	Abdurahman LNU	441	¶ 160	Yemen	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Halmandy v. Bush</i> , No. 05-2385 (RMU)
3.	Adel LNU	584	¶ 232	Turkestan (Uighur)	Yes	
4.	Ahmed Omar	30	¶ 318	Yemen	Yes	Petitioner has duplicate petition in <i>Al Hakimi v. Bush</i> , No. 08-1111 (EGS)
5.	Ali LNU	455	¶ 156	Uzbekistan	Yes	
6.	Edress LNU	35	¶ 107	Yemen	Yes	
7.	Mohammed Ahmed Saeed Hidar	498	¶ 260	Yemen	Yes	
8.	Sharaf Al Sanani	170	¶ 109	Yemen	Yes	
9.	Alkhadr Abdullah Al Yafie	34	¶ 266	Yemen	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Yafie v. Bush</i> , No. 05-2399 (RJL)
10.	Saif Ullah	46	¶ 146	Tunisia	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Halmandy v. Bush</i> , No. 05-2385 (RMU)

11.	Abdul-rahman Abdo Abdulghaith Sulaiman	223	¶ 250	Yemen	Yes	
12.	Abdurahman LNU	281	¶ 230	Turkestan (Uighur)	Yes	
13.	Abu Rawda	326	¶ 214	Syria	Yes	
14.	Jabbarov Oybek Jamolovich	452	¶ 330	Uzbekistan	Yes	Petitioner has moved to dismiss duplicate petition in <i>Jamolovich v. Bush</i> , No. 05-2112 (RBW); Respondents do not object to dismissal of 05-2112.
15.	Adil LNU	148	¶ 150	Tunisia	Yes	
16.	Mohammed Abdullah Taha Mattan	684	¶ 13	Palestine	Yes	
17.	Samir LNU	707	¶ 73	Sudan	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Halmandy v. Bush</i> , No. 05-2385 (RMU); Petitioner charged by military commission
18.	Tofiq Nasser Awadh Al Bihani	893	¶ 262	Yemen	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Yafie v. Bush</i> , No. 05-2399 (RJL)
19.	Shargowi LNU	1457	¶ 170	Yemen	Yes	Petitioner has voluntarily withdrawn duplicate petition in <i>Al Halmandy v. Bush</i> , No. 05-2385 (RMU)
20.	Mohammed Al Palestini	049	¶ 15	Palestine	Yes	
21.	Abdullah Bo Omer Hamza Yoyej	257	¶ 246	Tajikistan	Yes	
22.	Bilal LNU	330	¶ 144	Syria	Yes	
23.	Mustafa Al Shamili	434	¶ 95	Yemen	Yes	
24.	Maher El Falesteny	519	¶ 119	Palestine	Yes	
25.	Abdal Razak Ali	685	¶ 288	Algeria	Yes	



26.	Abdulaziz LNU	687	¶ 168	Saudi Arabia	Yes	
27.	Mohammed Ahmed Slam Al-Khateeb	689	¶ 252	Yemen	Yes	
28.	Jamil Ahmad Saeed	728	¶ 256	Yemen	Yes	
29.	Abdul Aziz Naji	744	¶ 270	Algeria	Yes	
30.	Sanad Ali Alkaliemi	1453	¶ 172	Yemen	Yes	

# **EXHIBIT 3**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**IN RE:**

**GUANTÁNAMO BAY  
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

AL HALMANDY, *et al.*,

Petitioners,

V.

No. 05-CV-2385 (RMU)

BUSH, *et al.*,

Respondents.

## STATUS REPORT

Petitioners in the above-captioned action, by and through their undersigned counsel, respectfully submit this status report in response to the Court's July 11, 2008 Scheduling Order:

1. The instant habeas petition was filed on behalf of 63 petitioners on December 13, 2005, just prior to the passage of the Detainee Treatment Act of 2005. After review, a large number of the petitioners in the instant case appear to be duplicates of petitioners on other habeas corpus petitions, or appear to have been transferred or released from Guantánamo.

2. The following detainees named on the instant petition (1) are identified as specific detainees at Guantánamo Bay; (2) do not have duplicate habeas petitions pending before the District Court (except as noted); and (3) to our knowledge have not been transferred or released from Guantánamo Bay:

- **Mohammed Kameen**, an Afghan national, ISN 1045. Respondents concede the identification.
- **Saki Bacha**, an Afghan national, ISN 900. Respondents concede the identification.
- **Muhammed Saad Iqbal Madni**, a Pakistani national, ISN 743. Respondents concede the identification. Madni had a duplicate petition in Civil Action No. 06-CV-1674 (RMC), filed September 29, 2006 under the name Qari Saad Iqbal, which he withdrew voluntarily on February 12, 2007. Judge Collyer dismissed that case without prejudice on February 12, 2007.
- **Riad Nargerri**, a Tunisian national, ISN 510.
- **Houmad Warzly**, a Yemeni national, ISN 574. Respondents concede the identification.
- **Sabry Mohammed**, a Yemeni national, ISN 570. Respondents concede the identification.
- **Saleh**, a Yemeni national, ISN 78.

3. Of the seven petitioners listed above in paragraph 2, two are currently the subject of charges before a military commission: Mohammed Jawad (ISN 900, listed as “Saki Bacha” on this petition) and Mohammed Kamin (ISN 1045, listed as “Mohammed Kameen” on this petition). Charges against Jawad, accusing him of throwing a hand grenade into a vehicle carrying U.S. and allied personnel in Afghanistan, were sworn on October 9, 2007, and referred for trial on January 30, 2008. It has been widely reported in the news media that Jawad was sixteen years old at the time of the alleged attack. Charges against Kamin, accusing him of providing material support to hostilities against U.S. and allied armed forces in Afghanistan, were sworn on March 12, 2008, and referred for trial on April 4, 2008.

4. No factual return or classified CSRT record has been filed for any petitioner on this petition.

5. There are no pending motions filed by petitioners in the instant case.

6. There is no protective order in place in this case.

7. Pursuant to the Detainee Treatment Act (DTA), petitioner Madni filed a Petition for Review of Combat Status Review Tribunal Determination with the U.S. Court of Appeals for the District of Columbia Circuit on April 3, 2007, No. 07-1083. There is a protective order in place in that case. Madni's DTA petition is still pending before the Court of Appeals.

8. Petitioners Kameen, Bacha, Nargeri, Warzly, Mohammed, and Saleh (listed in Paragraph 2, above) hereby give notice to respondents and to the Court that they request thirty days prior notice of transfer pursuant to the Court's order of July 10, 2008 (Dkt. 52-2, Civil Action No. 08-mc-442). (Petitioner Madni has already given such notice. *See* Dkt. 63, Notice of Petitioners' Request for 30-Days Notice of Transfer (filed July 15, 2008).)

9. As to all other individuals named on the instant petition, who are not specifically addressed in Paragraph 2, above, counsel do not object to dismissal of their claims without prejudice.

Dated: New York, New York  
July 18, 2008

Respectfully submitted,

/s/ Shayana Kadidal  
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# **EXHIBIT 4**

## Petitioners Currently Detained at Guantanamo Bay Whose Habeas Cases Are Currently Dismissed On Jurisdictional Grounds

Civil Action No	Case Name	Judge	Current Case Status	Date of Dismissal Order	Reason For Dismissal
05-CV-0569	Salahi v. Bush	Robertson	Dismissed	4/5/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-0748	Aboassy v. Bush	Collyer	Dismissed	5/30/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-0877	Khiali-Gul v. Bush	Robertson	Dismissed	4/5/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-1189	Khalifh v. Bush	Robertson	Dismissed	4/5/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-1505	Al Hawary v. Bush	Collyer	Dismissed	5/9/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-1506	Shafiiq v. Bush	Collyer	Dismissed	5/15/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-1555	Idris v. Bush	Robertson	Dismissed	4/5/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-1971	Al-Qahtani v. Bush	Collyer	Dismissed	5/8/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-2185	Al-Mudafari v. Bush	Robertson	Dismissed	4/5/2007	Jurisdiction -- D.C. Cir. Boumediene
05-CV-2387	Al-Quhtani v. Bush	Collyer	Dismissed	5/9/2007	Jurisdiction -- D.C. Cir. Boumediene
06-CV-1758	Suliman v. Bush	Collyer	Dismissed	5/30/2007	Jurisdiction -- D.C. Cir. Boumediene



# **EXHIBIT 5**

**EXHIBIT 5****Petitioners Who Are Approved For Transfer To  
The Control Of Another Government For Release**

<b>Case Number</b>	<b>Petitioner's Name</b>	<b>Internment Serial Number (ISN)</b>
05-CV-1509	Abdusabur Doe	275
05-CV-1509	Khalid Doe	280
05-CV-1509	Saabir Doe	282
05-CV-1509	Jalaal Doe	285
05-CV-1509	Abdusamad Doe	295
05-CV-1509	Hudhaifa Doe	320
05-CV-2386	Abdurahman LNU	281
05-CV-2398	Ali	250
05-CV-2398	Thabid	289

# **EXHIBIT 6**

**EXHIBIT 6**

**Petitioners Who Are Approved For Transfer To The Control Of Another  
Government For Possible Detention, Investigation, and/or Prosecution As  
That Government Deems Appropriate Under Its Own Laws**

<b>Case Number</b>	<b>Petitioner's Name</b>	<b>Internment Serial Number (ISN)</b>
04-CV-1194	Ali Yahya Mahdi	167
04-CV-1254	Adil Saeed El Haj Obaid	165
04-CV-1254	Mohamed Mohamed Hassan Odaini	681
04-CV-2035	Jarallah Al-Marri	334
04-CV-2215	Shaker Abdurraheem Aamer	239
05-CV-270	Adel Fattouh Aly Ahmed Algazzar	369
05-CV-0280	Suleiman Awadh Bin Aqil Al-Nahdi	511
05-CV-0280	Fahmi Salem Al-Assani	554
05-CV-0359	Rafiq Bin Bashir Bin Jallul Alhami	892
05-CV-0359	Mohammed Abdul Rahman	894
05-CV-0748	Mohammed Saeed Bin Salman	251
05-CV-0994	Kasimbekov Komoliddin Tohirjanovich	675
05-CV-0998	Arkan Mohammad Ghafil Al Karim	653
05-CV-0999	Asim Ben Thabit Al-Khalaqi	152
05-CV-1220	Abu Abdul Rauf Zalita	709
05-CV-1347	Farhi Saeed bin Mohammed	311

<b>Case Number</b>	<b>Petitioner's Name</b>	<b>Internment Serial Number (ISN)</b>
05-CV-1353	Motai Saib	288
05-CV-1497	Adil Bin Muhammad Al Wirghi	502
05-CV-1504	Nabil	238
05-CV-1505	Abbar Sufian Al Hawary	1016
05-CV-1509	Abdunasir Doe	278
05-CV-1509	Hammad Doe	328
05-CV-1704	Arkeen Doe	103
05-CV-1704	Sadar Doe	277
05-CV-2349	Ahmed Ben Bacha	290
05-CV-2386	Alkhadr Abdullah Al Yafie	34
05-CV-2386	Saif Ullah	46
05-CV-2386	Mohammed Al Palestini	49
05-CV-2386	Adil Bin Mabrouk	148
05-CV-2386	Jabbarov Oybek Jamolovich	452
05-CV-2386	Ali LNU	455
05-CV-2386	Maher El Falesteny	519
05-CV-2386	Adel LNU	584
06-CV-0618	Abdulli Feghoul	292
06-CV-1766	Fadhel Hussein Saleh Hentif	259
07-CV-2337	Ridah Bin Saleh Al Yazidi	38

# **EXHIBIT 7**

**Data Responsive to Judge Hogan's 7/11/08 Scheduling Order:****"2.I. Identifies the cases in which an appeal or a petition for certiorari is pending."****Petitions for Certiorari**

We are not aware of any certiorari petitions pending before the Supreme Court.

**Appeals**

Below are the cases pending on appeal, with their District Court case numbers, and then their USCA (D.C. Circuit) case numbers. *Appeals brought by petitioners* are marked with *an asterisk*.

## 1) Consolidated appeals respecting authority to withhold classified information:

Case Name	Case # in District Court	Case # in USCA (DC Cir.)
Al-Odah v. USA	02-828	05-5117
Rasul v. Gyurisko	02-299	05-5118
Habib v. Bush	02-1130	05-5119
Kurnaz v. Bush	04-1135	05-5120
O.K. v. Bush	04-1136	05-5121
Begg v. Bush	04-1137	05-5122
El-Banna v. Bush	04-1144	05-5123
Gherebi v. Bush	04-1164	05-5124
Anam v. Bush	04-1194	05-5125
Almurbati v. Bush	04-1227	05-5126
Abdah v. Bush	04-1254	05-5127

2) Consolidated appeals respecting conditions of confinement, stay of habeas proceedings, and habeas protective order:<sup>1</sup>

*Paracha v. Bush	04-2022	05-5194
*Paracha v. Bush	04-2022	05-5333
*Paracha v. Bush	04-2022	05-5211

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<sup>1</sup> Petitioner contends that the three listed appeals are moot.

## 3) First group of consolidated appeals respecting 30-day notice of transfer orders:

Kiyemba v. Bush	05-1509	05-5487
*Kiyemba v. Bush	05-1509	05-5488
Mamet v. Bush	05-1602	05-5489
*Mamet v. Bush	05-1602	05-5490
Alladeen v. Bush	05-833	05-5491
Zakirjan v. Bush	05-2053	06-5042
Zakirjan v. Bush	05-2053	06-5234

## 4) Second group of consolidated appeals respecting 30-day notice of transfer orders:

Abdah v. Bush	04-1254	05-5224
Abdullah v. Bush	05-23	05-5225
Al-Wazan v. Bush	05-329	05-5227
Adem v. Bush	05-723	05-5228
Al Daini v. Bush	05-634	05-5229
Al Hela v. Bush	05-1048	05-5230
Al Joudi v. Bush	05-301	05-5231
Al Mohammed v. Bush	05-247	05-5232
Al-Adahi v. Bush	05-280	05-5235
Al-Marri v. Bush	04-2035	05-5236
Al-Oshan v. Bush	05-520	05-5237
Anam v. Bush	04-1194	05-5238
Salahi v. Bush	05-569	05-5239
Aziz v. Bush	05-492	05-5242
Ameziane v. Bush	05-392	05-5243
Tumani v. Bush	05-526	05-5244



El-Mashad v. Bush	05-270	05-5246
El-Banna v. Bush	04-1144	05-5247
Alhami v. Bush	05-359	05-5248
Deghayes v. Bush	04-2215	05-5337
Slahi v. Bush	05-881	05-5338
Chaman v. Bush	05-887	05-5339
Zalita v. Bush	05-1220	05-5353
Al Karim v. Bush	05-998	05-5374
El-Marqodi v. Bush	05-1649	05-5390
Hatim v. Bush	05-1429	05-5398
Sohail v. Bush	05-993	05-5478
Abdulzaher v. Bush	05-1236	05-5479
Almerfedi v. Bush	05-1645	05-5484
Khalif v. Bush	05-1189	05-5486
Idris v. Bush	05-1555	06-5037
Sameur v. Bush	05-1806	06-5039
Alkhemisi v. Bush	05-1983	06-5041
Al-Mudafari v. Bush	05-2185	06-5043
Khiali-Gul v. Bush	05-877	06-5062
Al Bahooth v. Bush	05-1666	06-5064
Al-Mithali v. Bush	05-2186	06-5065
Kahn v. Bush	05-1001	06-5067
Awad v. Bush	05-2379	06-5094

5) Individual appeals respecting 30-day notice of transfer orders:

*Al Ginco v. Bush	05-1310	06-5191
Paracha v. Bush	04-2022	05-5334
Rahmattullah v. Bush	05-878	07-5091
*Zalita v. Bush	05-1220	07-5129

Al-Zarnouqi v. Bush	06-1767	07-5148
Ghanem v. Bush	05-1638	07-5303
Saleh v. Bush	06-1765	07-5323
Hentif v. Bush	06-1766	07-5324
Alhami v. Bush	05-359	07-5400
Yazidi v. Bush	07-2337	08-5051
Shubati v. Bush	07-2338	08-5052
Sanani v. Vargo	05-2386	08-5149

6) Consolidated appeals respecting various orders in district court habeas actions:

*Razak Ali v. Bush (denial of motion to compel factual returns and denial of motions related to access to counsel issues)	05-2386	07-5040
*Sanani v. Bush (denial of motion for order requiring 30-day notice of transfer)	05-2386	07-5043
*Al-Harbi v. Bush (denial of motion to compel factual return)	05-2479	07-5052

7) Individual appeals respecting denial of access to medical records or conditions:

*Al Ghizzawi v. Bush	05-2378	06-5394
*Al-Ghizzawi v. Bush	05-2378	08-5136

8) Individual appeal respecting use of "filter team" in suicide investigation:

*Hamad v. Bush	05-1009	06-5331
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9) Individual appeal respecting dismissal of habeas action:

*Bukhari v. Bush	05-1241	07-5201
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